

# PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
**J. Merrill et al.**

Examiner: Desai, Anand U

Art Unit: 1656

Application No.: 10/596, 221

Filed: June 05, 2006

Title: SECREDED NEURAL APOPTOSIS  
INHIBITING PROTEINS

### RESPONSE TO OFFICE COMMUNICATION

Mail Stop:  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

In response to the Examiner's Office Action dated September 21, 2007, wherein a restriction is required in the above-referenced application, Applicants provisionally elect, *with traverse*, Group I, claims 1-10, drawn to a method of modulating peroxynitrite induced apoptosis in neuronal cells comprising contracting said cells with secreted neural apoptosis inhibiting protein (SNAIP). Applicants respectfully request reconsideration and modification of the restriction requirement in view of the following remarks.

Applicants reserve the right to file one or more divisional applications directed to the non-elected subject matter in this application.